

P126

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE PATENT

Inventor(s): Kurt Francis, et al Group Art Unit: 2883
Serial No.: 10/827,136 Examiner: Wong, Eric K
Filed: 04/19/2004 Confirmation No. 2302
Customer No.: 30471

Title: HERMAPHRODITIC U-GUIDE ALIGNMENT STRUCTURES AND
METHOD THEREOF

COMMENTS ON EXAMINER STATEMENT OF REASONS FOR ALLOWANCE

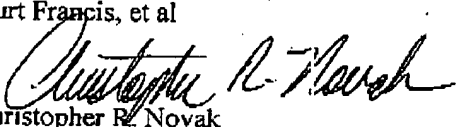
Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants thank the Examiner for the allowance of the claims in this application as numerically identified in the Notice of Allowability.

Applicants note that under 37 CFR 1.104(e) that reasons for allowance are only warranted in instances in which "the record of the prosecution as a whole does not make clear [the Examiner's] reasons for allowing a claim or claims." In the present case, Applicants believe that record as a whole makes clear the reasons for allowance, such as set forth in the arguments made on behalf of Applicants.

Further, the Statement can unfairly focus on or is limited to certain reasons for allowance of the claims which are not or may not be the only reasons for allowance as can be discerned from the prosecution history of this application. As a result, Applicants can not unequivocally agree that the novelty and patentability of the claims in this application reside solely in the specific feature or combination of features identified in the Statement or that the specific feature or combination of features identified in the Statement are all required for patentability of the allowed claims. Also, to the extent the reasons of allowance do not address other limitations in the allowed claims or address the subject matter of allowed claims outside the characterization of limitations set forth in the Statement, Applicants do not acquiesce that there are not other reasons for patentability of the allowed claims in this application apart from those set forth by the Examiner in the Statement.

Respectfully,
Kurt Francis, et al


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Serial No. 11/016,241

Comments on Examiner Statement

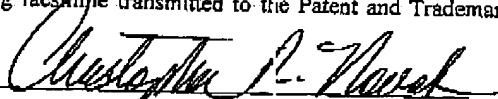
Date: 22 November 2006
Sunnyvale, California



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Date: 22 November 2006


Christopher R. Novak

The logo for Infinera, featuring a stylized infinity symbol or '8' shape to the left of the word 'Infinera' in a bold, sans-serif font.

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Facsimile transmittal

To:	Mail Stop ISSUE FEE	Date:	November 22, 2006
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Kurt Francis	Group Art Unit:	2883
Serial No.:	10/827,136	Examiner:	Wong, Eric K
Filed:	04/19/2004	Confirmation No.	2302
Customer No.:	30471		
Title:	HERMAPHRODITIC U-GUIDE ALIGNMENT STRUCTURES AND METHOD THEREOF		

This correspondence is in response to the Notice of Allowance Dated 08.24.2006.

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Christopher R. Novak
22 Nov. 2006
Date